ORDER RECEIVED FOR FILING
Date 2009

IN RE: PETITION FOR ADMIN. VARIANCE E/S Grantwood Road, 70' N of

the c/l of Pineview Place (701 Grantwood Road) 15th Election District 5th Councilmanic District

Donald J. Von Restorff, et ux Petitioners

BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 98-408-A

,

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Donald J. and Janice F. Von Restorff. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (two-car garage) to be located in the rear 1/3 of the yard area closest to the street in lieu of the farthest and to permit said accessory structure to occupy more than 50% of such third. The subject property and relief sought are more particularly described on the site plan submitted which was marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R.

Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

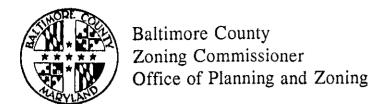
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of May, 1998 that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (two-car garage) to be located in the rear 1/3 of the yard area closest to the street in lieu of the farthest and to permit said accessory structure to occupy more than 50% of such third, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

May 29, 1998

Mr. & Mrs. Donald J. Von Restorff 701 Grantwood Road Middle River, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Grantwood Road, 70' N of the c/l of Pineview Place
(701 Grantwood Road)
15th Election District - 5th Councilmanic District
Donald J. Von Restorff, et ux - Petitioners
Case No. 98-408-A

Dear Mr. & Mrs. Von Restorff:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc: People's Counsel

File

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 701 Grantwood Rd.

which is presently zoned D.R. I

This Petition shall be filed with the Dept. of Permits & Development Management
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) Section 400.1 to allow an accessory structure to be located in the 13 of the yard area (rean) closest to the street in lieu of the farthest and to occupy more than 5070 of such third.

Of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

(SEE REVERSE)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			legal owner(s) or the property which is the subject of this relation.
Contract Purchaser/Lessea:			Legal Owner(s):
(Type or Print Name)			(Type of Print Name)
Signature			Signature J. Van Restoff
Address			(Type or Print Name)
Ċ			Junie J. Von Rastorff
City	State	Zipcode	Signatur
Attorney for Petitloner:			(FINAL)
(Type or Print Name)			701 GRANTWOOD 120, 410-391-8598
			MIDDLE RIVER MD. 21220
Signature			City State Zipcode Name, Address and phone number of representative to be contacted
			DOMALO J. VON RESTORFF
Address	Phone	e No.	Name
City	State	Zipcode	701 CRANT. WOOD RD. 4/0-354-7313 Address Phone No. #)
A Public Hearing having been that the subject matter of this circulation throughout Baltim	petitlori be set for a put	blic hearing , advertised, a	ored by the Zaning Commissioner of Baltimore County, this stay of the Zaning Regulations of Baltimore County, at worse papers of general

Printed with Soyboan Ink

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the

Jonina Commissioner o

98-408-A

REVIEWED BY: DR DATE: 4/38/98
ESTIMATED POSTING DATE: 5/10/98

Affidavit in support of Administrative Variance

0 F

NOW LOX

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 70 \ address

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and Janice	F. Von Resto	rtt	
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th are true and correc	ct to the best of his/her	/their knowledge	and belief.
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1.801.86

My Commission Expires December 1 2001

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 701 GRAMTWOOD ROAD

address

MINDLE 131 VE 13

City State Mb. Z/22C

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

IN ORDER TO HELP THE TRANSPORTATION NEEDS OF

BOTH MY WIFE & PARENTALLY WAS THE PROPOSED

LOCATION OF THE SANGE STRUCTURE MOTED ON THE

PART WOULD REDUCE THE WALKING DISTANCE FROM

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PROPOSED LOCATION WOULD MAKE MOUSE ENTINE

That Alfiant(s) acknowledge(s) that if a profest is filed, Alfiant(s) will be required to pay a reposting and advertising fee and

may be required to provide additional information.

ORE A

DONALD JON RESTORFE TO POPULAR TO PROPERTY TO PROPERTY

STATE OF MARYLAND, COUNTY OF BALTIMORE, to will

1 HEREBY CERTIFY, this 30th day of March 19 98, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Donald J. Von Restorff and Janice F. Von Restorff

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

March 30, 1998

1101011 007 1

NOTARY PUBLIC

My Commission Expires:

MARIEE E NEUTZE
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires December 1 2001



date





to the Zoning Commissioner of Baltimore County for the property located at Grantwood Rd which is presently zoned D.R.I This Petition shall be filed with the Dept. of Permits & Development Management
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) Section 400.1 to allow an accessory structure to be located in the 3 of the yard area (rear) closest in lieu of the farthest and to occupy more than such of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) (SEE REVERS Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, poeting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Ówner(s): Contract Purchaser/Lessee: (Type or Print Name) Address Ċ City Slate Zipcode Attomey for Petitioner: 4/0-39/ 151 400W71 (Type or Print Name) ユノ ಒಒಂ RIVER MO State Signature Address and phone number of representative to be contacted RESTORFE Acidens Phone No. 4/0-354-7313 State Zipcode CWORK A fublic Hearing having been requested and/or found to be required, it is ordered by the Loning Commissioner of Baltimore County, this, that the subject matter of this petition be set for a public hearing, advertised, as required by the Laning Regulations at Baltimore County, In the circulation throughout Baltimore County, and that the property be reposted. , ar

ESTIMATED POSTING DATE:



Printed with Snyboan Ink on Recycled Paper

ZONING DESCRIPTION

Zoning Description for 701 Grantwood Road, Beginning at a point on the EAST side of Grantwood Road which is 40 feet wide at the distance of 70' North of the centerline of the nearest improved intersecting street pine of the nearest improved intersecting street pine of the subdivision of Harmony Freewill as recorded in Baltimore County Plat Book # 12, Folio# 84, containing 15000 square feet. Also known as 701 Grantwood Road and located in the 15 th. Election District, 5 th. Councilmanic District.

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CERTIFICATE OF POSTING

RE: Case No. 98-408-A

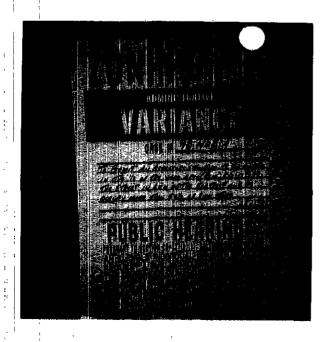
Peditioner/Developer:
(Don VonRestorff)
Date of Homing/Closing:
(May 26, 1998)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

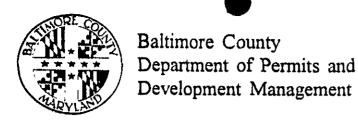
Attention: Ms. Gwendolyn Stephens

Ladies and Gentleman:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by						
law were posted conspicuously on the property located at						
701 Grantwood Road Baltimore, Maryland 21220						
The sign(s) were posted on May 8, 1998						



Sincerchy, Sincerchy, Signature of Sign Poster & Date)
Thomas P. Ogie, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(41 0)-687-840 5 (Telephone Number)



AJ:ggs

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

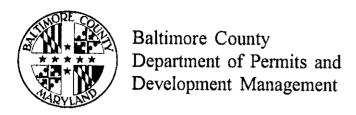
Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR					
For newspaper advertising:					
Item No.: 468					
Petitioner: DOMALD J. VON RESTORFF					
Location: 701 GRANT WOOD RD.					
PLEASE FORWARD ADVERTISING BILL TO:					
NAME: DOMALD J. VON RESTORFE					
ADDRESS: 701 GRANTWOOD RD.					
MIDDLE RIVER MD. 21220					
PHONE NUMBER: 410-391-8598 HOME 410-354-7313 WORK					

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

							4		_
Case	Number 9	98- <u>4</u> 6	A- 8			•		wood	Rd.
Contact Person: Bruns Rudaitis Phone Number: 410-887-3391									
		1 .	Planner, Pleas	se Print Your Name					
Filing	Date:	4/28/9	8	Posting D)ate: <u> </u>	110/98	Closi	ng Date:	5/25/90
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Petitioner: This Part of the Form is for the Sign Poster Only									
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT									
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the 13 of the yard area (rear) closest to the street in lieu of the									
furthest and to occupy more than 50% of such third.									
									



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

May 21, 1998

Mr. and Mrs. Donald Von Restorff 701 Grantwood Road Middle River, MD 21220

RE: Item Number: 408

Case Number: 98-408-A

Petitioner: Donald Von Restorff, et ux

Dear Mr. and Mrs. Von Restorff:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 28, 1998.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Gwen Stephens in the zoning office (410-887-3391).

Sincerely,

U. Conl Richard Ja

W. Carl Richards, Jr. Zoning Supervisor

WCR:rye

Enclosures

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: May 18, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting for May 18, 1998 Item Nos. 404, 405, 406, 407 409, 411, 412, 413, 415

ALSO:

Use Permit for Farmer's Roadside Stand (W/S Jarrettsville Pike, Opposite South Side Avenue (14350 Jarrettsville Pike)

ALSO:

Revised Plans for Case #98-328-SPHXA (9205 Harford Road)

The Development Plans Review Division has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY,

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

POM

DATE:

FROM:

R. Bruce Seeley.

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee

Meeting Date: _ Mau

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Itams:

Itam #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Department of Permits and Development Management

DATE: May 12, 1998

FROM: Arnold F. "Pat" Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item No. 381, 393, 407, 408) 409, and 410

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:

nief: Cany L. Kerns Division Chief:

AFK/JL



Parris N. Glendening Governor David L. Winstead

Secretary

Parker F. Williams Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

5.12.94

Item No.

408

BR

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

P. J. Smill

Engineering Access Permits

Division

LG

To Whom It May Concern:

We, the undersigned, DO NOT CONTEST the proposed location of the one story, two car garage, to be erected by Donald J. and Janice F. Von Restorff, at 701 Grantwood Road.

Mr. &Mrs. George Kasch

808 Pineview Place

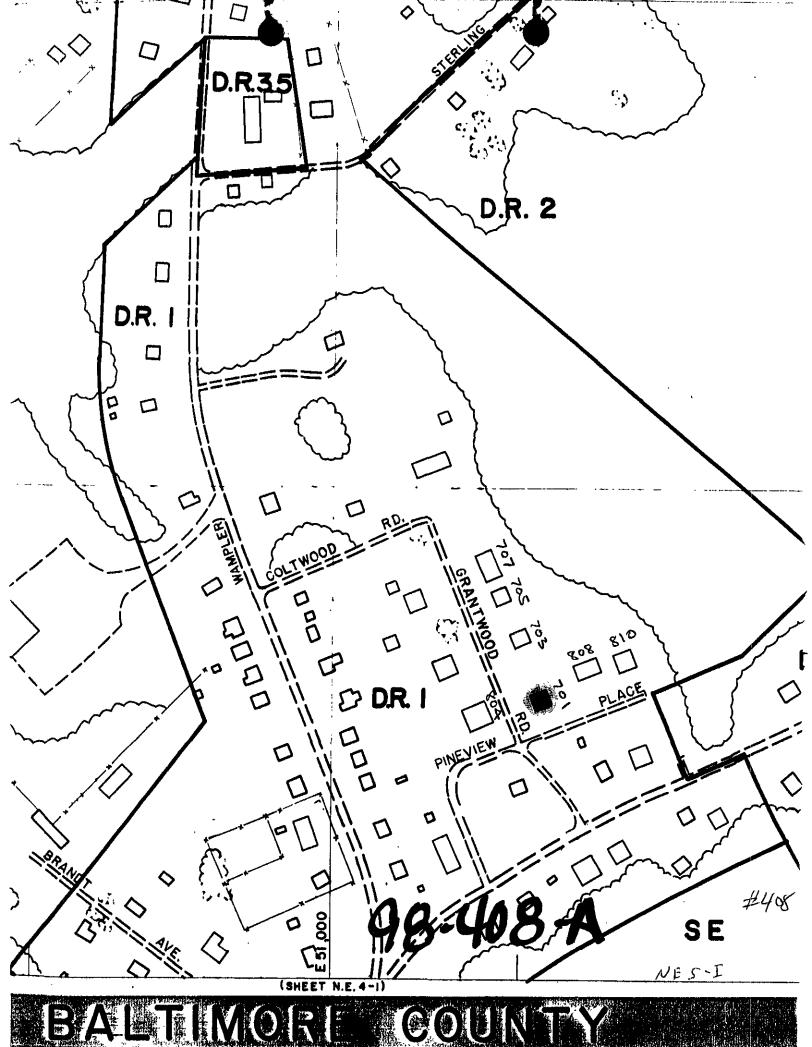
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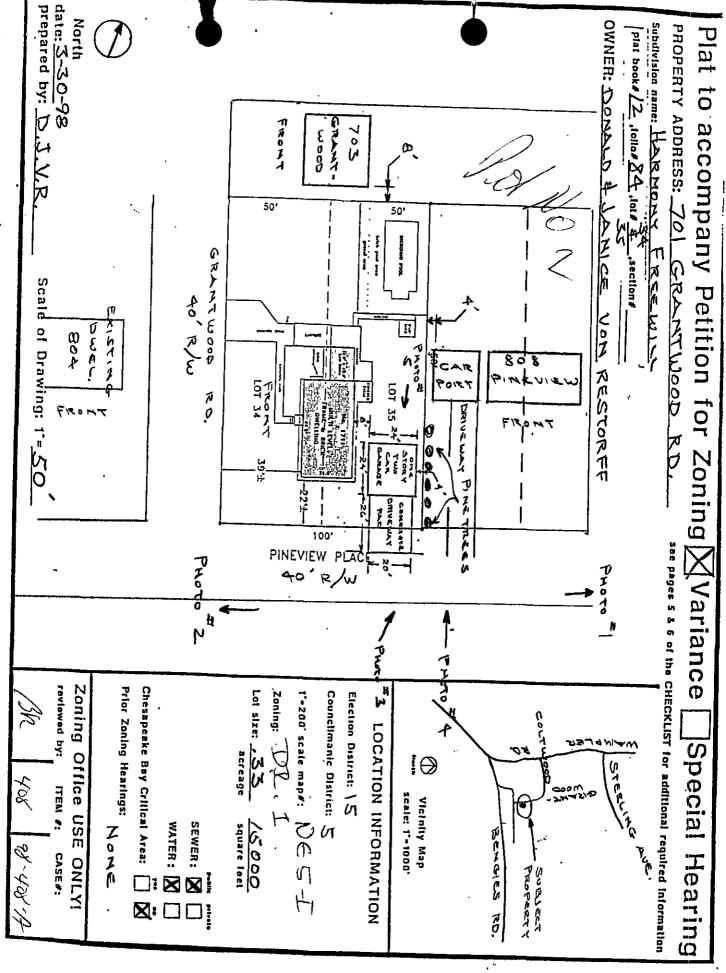
Mr.&Mrs.Herman Scholz 804 Pineview Place

DATE:

Mr.&Mrs.Al Warren 703 Grantwood Road

DATE:

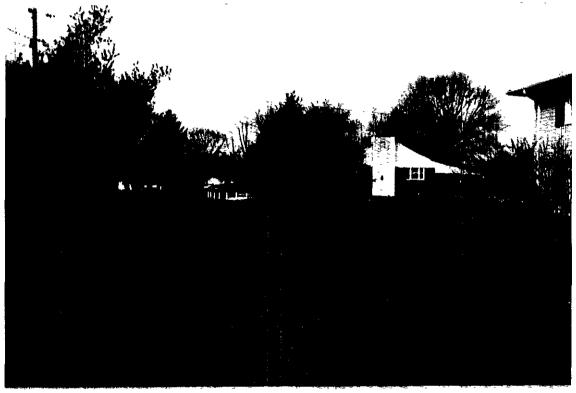












98.408·A

